
A BILL FOR AN ACT

RELATING TO INTAKE SERVICE CENTERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. Section 353-10, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The centers shall:

(1) Provide orientation, guidance, and technical services;

(2) Provide social-medical-psychiatric-psychological diagnostic evaluation;

(3) ~~[(A)] Provide pretrial assessments on adult offenders that are consented to by the defendant or that are ordered by the court; and~~

~~[(B)]~~ Conduct internal pretrial risk assessments on adult offenders within three working days of admission to a community correctional center which shall then be provided to the court for its consideration; provided that this paragraph shall not apply to persons subject to county or state detainers, holds, or persons detained without bail, persons detained for probation violation, persons facing revocation of bail or supervised release, and persons who have had a



1 pretrial risk assessment completed prior to admission
2 to a community correctional center. For purposes of
3 this ~~[+]subparagraph[+]~~, "pretrial risk assessment"
4 means an objective, research-based, validated
5 assessment tool that measures a defendant's risk of
6 flight and risk of criminal conduct while on pretrial
7 release pending adjudication;

8 ~~[(4) Assist in the conduct of presentence assessments on~~
9 ~~adult offenders and the preparation of presentence~~
10 ~~reports when requested by the courts;~~

11 ~~+(5)]~~ (4) Provide correctional prescription program
12 planning and security classification;

13 ~~[(6)]~~ (5) Provide other personal and correctional services
14 as needed for both detained and committed persons;

15 ~~[(7)]~~ (6) Monitor and record the progress of persons
16 assigned to correctional facilities who undergo
17 further treatment or who participate in prescribed
18 correctional programs; ~~[and~~

19 ~~+(8)]~~ (7) Provide continuing supervision and control of
20 persons ordered to be placed on pretrial supervision
21 by the court and persons ordered by the director~~[-]~~;
22 and



1 (8) Provide pretrial bail reports to the courts on adult
2 offenders that are consented to by the defendant or
3 that are ordered by the court. The pretrial bail
4 reports shall be confidential and shall not be deemed
5 to be public records. A copy of a pretrial bail
6 report shall be provided only:

7 (A) To the defendant or defendant's counsel;

8 (B) To the prosecuting attorney;

9 (C) To the department of public safety;

10 (D) To any psychiatrist, psychologist, or other
11 treatment practitioner who is treating the
12 defendant pursuant to a court order;

13 (E) Upon request, to the adult client services
14 branch; and

15 (F) In accordance with applicable laws, persons, or
16 entities doing research."

17 SECTION 2. Act 139, Session Laws of Hawaii 2012, is
18 amended by amending section 14 to read as follows:

19 "SECTION 14. This Act shall take effect on July 1, 2012;
20 provided that:

21 (1) Section 3 shall take effect on January 1, 2013;



1 (2) Section 7 shall take effect on July 1, 2012, for any
2 individual on parole supervision on or after July 1,
3 2012;

4 (3) Section 8 shall take effect on July 1, 2012, and shall
5 be applicable to individuals committing an offense on
6 or after that date; and

7 (4) Sections 3, 7, 8, 10, and 11 shall be repealed on
8 July 1, 2018, and sections 353-10, 353-66, 706-670(1),
9 353-22.6, and 353-69, Hawaii Revised Statutes, shall
10 be reenacted in the form on which ~~it~~ they read on
11 June 30, ~~[2018-]~~ 2012."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act, shall take effect on July 1, 2013;
15 provided that the amendments made to section 353-10, Hawaii
16 Revised Statutes, by section 1 of this Act shall not be repealed
17 when that section is reenacted on July 1, 2018, pursuant to
18 section 14 of Act 139, Session Laws of Hawaii 2012.



Report Title:

Intake Service Centers; Pretrial Bail Reports

Description:

Requires intake service centers to provide pretrial bail reports to the courts on adult offenders that are consented to by the defendant or that are ordered by the court and amends the law to provide statutory authority to the courts to treat information contained in the pretrial bail reports as confidential. Repeals the intake service centers' duty to provide pretrial assessments on adult offenders that are consented to by the defendant or ordered by the court and assist in the conduct of presentence assessments on adult offenders and the preparation of presentence reports when requested by the courts. (SB1183 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

